

POLICE AND CRIME COMMISSIONER FOR WEST YORKSHIRE

FREEDOM OF INFORMATION ACT 2000

PUBLICATION SCHEME

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Our Publication Scheme is accessible via the web at www.westyorkshire-pcc.gov.uk

Introduction

Police and Crime Commissioner Role and Responsibilities

The Police and Crime Commissioner for West Yorkshire took office on 22 November 2012. It is the Commissioner's job to ensure that there is an efficient and effective police force for West Yorkshire and to make sure that the Chief Constable and Force are accountable to you in carrying out their responsibilities and serving our communities.

The Commissioner engages with the public and communities in West Yorkshire and holds the Chief Constable to account for the delivery of policing, sets and updates a police and crime plan, sets the Force budget and council tax precept and appoints and, where necessary, dismisses the Chief Constable.

It might help you to know that police operations are the responsibility of the Chief Constable and Force and information on individuals is more likely to be held by the Police than the Commissioner.

The Freedom of Information Act 2000

The Freedom of Information Act 2000 received Royal Assent on 30 November 2000. It gives a general right of access to all types of recorded information held by public authorities, sets out exemptions from that right and places a number of obligations on public authorities. A 'public authority' is defined in the Act, and includes, but is not restricted to, central and local government, non governmental public bodies, the police, the health service and schools, colleges and universities. Any person who makes a request to a public authority for information must be informed whether the public authority holds that information and, subject to exemptions, supplied with that information.

Your rights and our responsibilities

Under the Freedom of Information Act the Commissioner must have a publication scheme setting out information that is routinely made publicly available.

The purpose of the publication scheme is to let you know what information is readily available from us without your needing to ask for it. By readily available we mean that the information is available on our website; can be obtained from us if you request it by letter, e-mail or telephone call; can be purchased from us; or can be found in a local library.

The scheme commits the Commissioner to:

- proactively publish or otherwise make available as a matter of routine, information, including environmental information, which is held by the Commissioner and falls within the classifications overleaf.
- specify the information which is held by the Commissioner and falls within the classifications overleaf.

- proactively publish or otherwise make available as a matter of routine, information in line with the statements contained within this scheme.
- produce and publish the methods by which the specific information is made routinely available so that it can be easily identified and accessed by members of the public.
- review and update on a regular basis the information the Commissioner makes available under this scheme.
- produce a schedule of any fees charged for access to information which is made proactively available.
- make this publication scheme available to the public.

Part 2 of our publication scheme sets out the classes or types of information that we publish or intend to publish.

When you ask us for information we will:

- let you know in writing whether we hold information you have asked for; and
- if we do, provide the information to you within 20 working days, unless it is subject to an exemption

We also have a duty to provide advice or assistance to you or anyone seeking information (for example in order to explain what is readily available or to clarify what is wanted).

Part Two: What information is available

Introduction

Under the Freedom of Information Act 2000, our publication scheme must say what classes, or broad types, of information the Commissioner already publishes or intends to publish. We aim to publish as much information as possible about our work through the scheme, except where it would not be in the public interest to do so, for example, because it might prejudice law enforcement or the health and safety of our staff, or our ability to secure best value from local policing because information is commercially sensitive.

For each class we briefly define the information contained in that class, the format in which it is available and whether the class includes chargeable material (chargeable material indicated by a “£” sign).

For those who do not have access to a computer, all information contained in this publication scheme (including the scheme itself) is available in hard copy form.

In exceptional circumstances some information may be available only by viewing in person. Where this manner is specified, contact details will be provided. An appointment to view the information will be arranged within a reasonable timescale.

Information will be provided in the language in which it is held or in such other language that is legally required. Where legally required the Commissioner will arrange for translation of information.

Obligations under disability and discrimination legislation and any other legislation to provide information in other forms and formats will be adhered to when providing information in accordance with this scheme.

The Commissioner publishes, or intends to publish, information under the following classes:

Classes of Information: Who we are and what we do
 What we spend and how we spend it
 What our priorities are and how we are doing
 How we make decisions
 Our policies and procedures
 Lists and registers
 The services we offer

The classes of information will not generally include:

- Information the disclosure of which is prevented by law, or exempt under the Freedom of Information Act, or is otherwise properly considered to be protected from disclosure.
- Information in draft form.
- Information that is no longer readily available as it is contained in files that have been placed in archive storage, or is difficult to access for similar reasons.

Information	Format	Charge
Role and statutory responsibilities	Website / hard copy	Free of charge single copies
Forthcoming events and appearances	Website / hard copy	Free of charge single copies
Commissioner profile and manifesto commitments	Website / hard copy	Free of charge single copies
Appointment of members to the Audit Committee and Misconduct Panels	Website / hard copy	Free of charge single copies
Commissioner activity log	Website / hard copy	Free of charge single copies
Membership of the Audit Committee	Website / hard copy	Free of charge single copies
Departmental structure	Website / hard copy	Free of charge single copies
Independent Custody Visiting Scheme	Website / hard copy	Free of charge single copies

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Staff structure and responsibilities	Website / hard copy	Free of charge single copies
Contact details of staff	Website / hard copy	Free of charge single copies
Contact details for the Commissioner	Website / hard copy	Free of charge single copies
Geographical contacts	Website / hard copy	Free of charge single copies
Independent Custody Visitor appointments	Website / hard copy	Free of charge single copies
Chief Constable appointments	Website / hard copy	Free of charge single copies
Senior appointments policy and procedure	Website / hard copy	Free of charge single copies

Information	Format	Charge
Summary of revenue budget estimates	Website / hard copy	Free of charge single copies
Annual statement of accounts	Website / hard copy	Free of charge single copies
Budgets set for the Force	Website / hard copy	Free of charge single copies
Expenses & allowances paid to the Commissioner and senior employed staff, with job descriptions, budgets and staffing portfolios	Website / hard copy	Free of charge single copies
Annual Audit Letter	Website / hard copy	Free of charge single copies
Financial Audit Reports - PURE	Website / hard copy	Free of charge single copies
Internal financial regulations and delegated authority	Website / hard copy	Free of charge single copies
Contracts and tender documents (above £10,000) Lists of contracts and tenders (from £500 to £10,000)	Website / hard copy	Free of charge single copies
Grants to local and voluntary agencies	Website / hard copy	Free of charge single copies
Land and building assets	Website / hard copy	Free of charge single copies
Expenditure over £500	Website / hard copy	Free of charge single copies

Information	Format	Charge
Policing plan	Website / hard copy	Free of charge single copies
Force performance reports	Website / hard copy	Free of charge single

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		copies
External inspection reports: HMIC Audit Commission NPIA	Website / hard copy	Free of charge single copies
Statistical information: Performance reports HR statistics	Website / hard copy	Free of charge single copies

Information	Format	Charge
Decision log	Website / hard copy	Free of charge single copies
Audit Committee terms of reference	Website / hard copy	Free of charge single copies
Standing orders	Website / hard copy	Free of charge single copies
Consultation meetings schedule	Website / hard copy	Free of charge single copies
Background papers for public meetings	Website / hard copy	Free of charge single copies
Equality impact assessments	Website / hard copy	Free of charge single copies
Engagement strategy	Website / hard copy	Free of charge single copies

Information	Format	Charge
Standing Orders	Website / hard copy	Free of charge single copies
Terms of reference	Website / hard copy	Free of charge single copies
Code of Corporate Governance	Website / hard copy	Free of charge single copies
Financial Regulations	Website / hard copy	Free of charge single copies
Delegation to Officers	Website / hard copy	Free of charge single copies
Officer/Commissioner protocol	Website / hard copy	Free of charge single copies
Equality Scheme	Website / hard copy	Free of charge single copies
Commissioner Business Plan	Website / hard copy	Free of charge single copies
Freedom of Information Publication Scheme	Website / hard copy	Free of charge single copies
Employment policies & procedures	Website / hard copy	Free of charge single copies
Complaints procedures	Website / hard copy	Free of charge single copies
Record retention policies	Website / hard copy	Free of charge single copies

Information	Format	Charge
Register of Commissioner's Interests	hard copy	Free of charge single copies
Register of Gifts & Hospitality	hard copy	Free of charge single copies
Freedom of Information Disclosure Log	Website / hard copy	Free of charge single copies

Information	Format	Charge
Publications	Website / hard copy	Free of charge single copies
Press Releases	Website / hard copy	Free of charge single copies

Part Three: Responsibilities for the Commissioner's publication scheme

The Chief Executive has overall responsibility for our publication scheme. The person responsible for maintaining and managing the publication scheme is: -

Julie Reid
 Office of the Police and Crime Commissioner for West Yorkshire
 Ploughland House
 62 George Street
 Wakefield
 WF1 1DL

Telephone: 01924 294000
 Fax: 01924 294008
 E-mail: foi@westyorkshire-pcc.gov.uk

Contacting the Police and Crime Commissioner for West Yorkshire

If you wish to obtain a hard copy of our publication scheme you may write to, e-mail or telephone us at:

Office of the Police and Crime Commissioner for West Yorkshire
 Ploughland House
 62 George Street
 Wakefield
 WF1 1DL

Telephone: 01924 294000
 Fax: 01924 294008
 E-mail: foi@westyorkshire-pcc.gov.uk

Our website also contains a copy of the publication scheme at www.westyorkshire-pcc.gov.uk

Charges which may be made for Information published under this scheme

The purpose of this scheme is to make the maximum amount of information readily available at minimum inconvenience and cost to the public. Charges made by the Commissioner for routinely published material will be justified and transparent and kept to a minimum.

Material which is published and accessed on a website will be provided free of charge.

Charges may be made for information subject to a charging regime specified by Parliament.

Charges may be made for actual disbursements incurred such as:

- photocopying
- postage and packaging
- the costs directly incurred as a result of viewing information

If a charge is to be made, confirmation of the payment due will be given before the information is provided. Payment may be requested prior to provision of the information.

Written Requests

Information held by a public authority that is not published under this scheme can be requested in writing, when its provision will be considered in accordance with the provisions of the Freedom of Information Act.

Copyright

Different bodies might own the copyright of material contained in our Scheme:

Police and Crime Commissioner for West Yorkshire Copyright Material

For material where we own the copyright, it can be reproduced free of charge in any format or medium for research, private study or for internal circulation within an organisation. This is subject to the material being reproduced accurately and not being used in a misleading context. Where material is being republished or copied to others, the source of the material must be identified and our copyright acknowledged. The West Yorkshire Police and Crime Commissioner logo is also copyrighted and may not be reproduced other than as it appears on copied material.

Other Copyrighted Material

Some material we include in our scheme may be the copyright of a third party. Our rights to hold and use such material do not extend to others. You must obtain authorisation from the copyright holder(s) concerned if you wish to copy or reproduce such material.

Requests for Personal Information

Under the Data Protection Act 1998, you already have a statutory right to have access to personal data we hold about you on computer or in a structured manual file (i.e. on paper). You also have the right to expect us, as the data controller, to ensure that data is:

- processed fairly and lawfully
- obtained for specific and lawful purposes
- adequate, relevant and not excessive
- accurate and where necessary kept up to date
- not kept for longer than is necessary
- processed in accordance with the rights of the data subject
- kept secure
- not transferred abroad unless to countries with adequate data protections laws.

For the purposes of the 1998 Act, “personal data” is information that relates to a living identifiable person. The person or organisation who controls the purpose and manner in which data is processed is the “data controller”. More information on the Data Protection Act can be found on the website of the Information Commissioner www.informationcommissioner.gov.uk or from the address given below.

Information where the Commissioner is the Data Controller

Where we are the data controller, you are entitled to be told whether we hold data about you, and if we do:

- to be given a description of the data in question
- to be told for what purposes the data is processed
- to be told the recipients, or classes of recipients, to whom the data is or may be disclosed

You are also entitled to a copy of the information with any unintelligible terms, acronyms or codes explained. You will also be given any information available to us on the source of the data. The data will be in its latest form.

If you wish to apply for access to your personal data, known as “a subject access request”, you should write to us at Ploughland House, 62 George Street, Wakefield, WF1 1DL. A fee of £10 must accompany your request together with proof of your identity. We also need to be supplied with the details needed to locate the information you seek. A request for access to personal data will be dealt with promptly and in any event within 40 days of receipt of the request and payment of the fee.

If you consider that a request by you for access to your personal data has not been dealt with properly, you may:

- write to us at the above address seeking resolution of your complaint.
- write to the Information Commissioner, who is appointed to consider such complaints at:

Office of the Information Commissioner
Wycliffe House
Water Lane
Wilmslow, Cheshire
SK9 5AF

The Information Commissioner is empowered to assess whether there has been a failure to comply with the 1998 Act. The Information Commissioner can issue enforcement proceedings if satisfied that there has been a contravention of the data protection principles. The Information Commissioner can also recommend that you apply to court alleging a failure to comply with the subject access provisions of the 1998 Act. The court may make an order requiring compliance with those provisions and may also award compensation for any damages you have suffered as well as any associated distress.

Information where the Commissioner is not the “Data Controller”

In many cases, it is the police and not the Commissioner who hold personal information. The Police National Computer includes information on prosecutions, convictions and cautions. Chief Officers of Police are the “data controllers” for this information and not the Police and Crime Commissioner.

You have the right to be told by a Chief Officer whether any information is held about you on the Police National Computer and a right to a copy of that information. The Chief Officer will give that information if he is satisfied as to your identity and on payment of a fee of £10. The Chief Officer may deny access to this information where the information is held for the prevention or detection of crime or for the apprehension or prosecution of offenders and where release of the information would be likely to be prejudicial to any of these purposes.

Police Forces provide a form to simplify the exercise of your subject access rights to PNC information. In the case of West Yorkshire Police you should contact: -

West Yorkshire Police Force
Data Protection Office
PO Box 9
Wakefield
WF1 3QP
Telephone: 101

Or alternatively, you can visit the Help Desk of any West Yorkshire Police Station.

Requests under the Environmental Information Regulations

If you wish to make a request for information under the Environmental Information Regulations (EIR), you should write to:

Chief Executive
Office of the Police and Crime Commissioner for West Yorkshire
Ploughland House
62 George Street
Wakefield

WF1 1DL

Telephone: 01924 294000
Fax: 01924 294008
E-mail: foi@westyorkshire-pcc.gov.uk

Comments about the Publication Scheme

If you have any comments on our publication scheme or feel that the scheme could be improved, you should write, in the first instance to:

Julie Reid
Office of the Police and Crime Commissioner for West Yorkshire
Ploughland House
62 George Street
Wakefield
WF1 1DL
Telephone: 01924 294000
Fax: 01924 294008
E-mail: foi@westyorkshire-pcc.gov.uk

Complaints about the Publication Scheme

If you think we have not supplied information in accordance with our scheme, then you should write, in the first instance, to:

Chief Executive
Office of the Police and Crime Commissioner for West Yorkshire
Ploughland House
62 George Street
Wakefield
WF1 1DL

Telephone: 01924 294000
Fax: 01924 294008
E-mail: foi@westyorkshire-pcc.gov.uk

We aim to deal with your complaint within 10 working days. If you are dissatisfied with the response you can ask for the matter to be internally reviewed. We aim to complete an internal review and respond to you within a further 10 working days.

If, after the internal review, you remain dissatisfied then you can complain to the Information Commissioner.

Review of the Commissioner's publication scheme

We will review our publication scheme annually.

Availability of this scheme in other languages and formats.

If you require this publication scheme in another language or format please contact:

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Julie Reid
Office of the Police and Crime Commissioner for West Yorkshire
Ploughland House
62 George Street
Wakefield
WF1 1DL

Tel 01924 294000
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E-mail: foi@westyorkshire-pcc.gov.uk